DEPARTMENT OF THE PROSECUTING ATTORNEY 207

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Attorneys for Respondents

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAII

TARYN CHRISTIAN,) CIV. NO. 04-00743 DAE-LEK
Plaintiff,)
vs.	NOTICE AND STATEMENT OFAPPEAL; APPENDIX "A";CERTIFICATE OF SERVICE
RICHARD BISSEN, Acting Director, STATE OF HAWAI'I,	
DEPARTMENT OF PUBLIC SAFETY,)
Respondents.)))

NOTICE AND STATEMENT OF APPEAL

COME NOW, JAMES PROPOTNICK, Acting Director, Department of Public Safety, State of Hawaii, (hereinafter "Respondents"), by and through their attorney, PETER A. HANANO, First Deputy Prosecuting Attorney for the County of Maui, hereby gives notice pursuant to 28 U.S.C. § 636(b)(1)(A) and LR74.1 of the Local Rules of Practice for the United States District Court for the District of

Hawai'i, the Respondents appeals to the United States District Court for the District of Hawaii from the Honorable Magistrate Judge Leslie E. Kobayashi's (hereinafter "Magistrate") May 1, 2007 Order Granting Petitioner's Motion for Leave to Conduct Discovery and Findings and Recommendation Regarding Petition for Writ of Habeas Corpus (a true and correct copy attached hereto as Appendix "A").

DATED: Wailuku, Hawaii, May 11, 2007.

Respectfully submitted, DEPARTMENT OF THE PROSECUTING ATTORNEY BENJAMIN M. ACOB, PROSECUTING ATTORNEY

By_____ PETÉR A. HANANO

First Deputy Prosecuting Attorney

County of Maui

Attorney for Respondents

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAII

TARYN CHRISTIAN,	CIV. NO. 04-00743 DAE-LEK
Plaintiff,	CERTIFICATE OF SERVICE
vs.	CERTIFICATE OF SERVICE
RICHARD BISSEN, Acting Director, STATE OF HAWAI'I, DEPARTMENT OF PUBLIC SAFETY,	
Respondents.	
)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of the foregoing Notice and Statement of Appeal and Appendix "A" were served upon MARK BARRETT, ESQ., Attorney for Petitioner, P.O. Box 896, Norman, Oklahoma 73070, by 73070, via the CM/ECF electronic filing system on May 11, 2007.

PETER A. HANANO
First Deputy Prosecuting Attorney
County of Maui
Attorney for Respondents